



PLANNING COMMISSION CITY OF MERCER ISLAND

PCB 25-20
November 19, 2025
Public Hearing

AGENDA BILL INFORMATION

TITLE:	PCB 25-20 Public Hearing for Rezone of Two City-Owned Properties	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input checked="" type="checkbox"/> Recommendation
RECOMMENDED ACTION:	Hold the public hearing for the rezone of two city-owned properties and make a recommendation to the City Council.	
STAFF:	Alison Van Gorp, Community Planning and Development Deputy Director Molly McGuire, Senior Planner	
EXHIBITS:	1. RZN25-001 Staff Report 2. Quasi-Judicial Proceeding of Site Specific Rezone Application Memorandum from City Attorney	

EXECUTIVE SUMMARY

The purpose of this agenda bill is to hold the public hearing and arrive at a Planning Commission recommendation for the reclassification of property (rezone) for two City-owned properties, identified by parcel numbers 2655500075 and 2655500185, also known as the City Hall and Public Works Maintenance and Operations properties. The properties are currently zoned Commercial Office (C-O) and Single-Family Residential (R-8.4) and designated “Public Facility” in the City’s Comprehensive Plan. If the rezone is adopted by the City Council, the properties would be zoned Public Institution (PI).

- On September 16, 2025, the City Council directed the City Manager to apply for the reclassification of two City-owned properties from C-O and R-8.4 to (PI) to the Community Planning and Development (CPD) Department.
- CPD received the application on September 17, 2025 and the application was determined to be complete for processing on September 19, 2025.
- Four public comments were received during the public comment period, and are included in the Staff Report in Exhibit 1.
- Site specific reclassifications of property (rezones) must be reviewed and decided through quasi-judicial proceedings.
- At its November 19 meeting, the Planning Commission will hold a public hearing and consider public comments as well as the staff report and criteria in the Mercer Island City Code (MICC) Chapter 19.15. The Commission is expected to make a recommendation to the City Council for consideration at its December 2, 2025 regular meeting.

BACKGROUND

Summary of the Application

On September 16, 2025, the City Council directed the City Manager to apply for the reclassification of two City-owned properties from C-O and R-8.4 to (PI) to the Community Planning and Development (CPD) Department ([AB 6779](#)). On September 17, 2025, Kellye Hilde, Public Works Deputy Director, [submitted an application](#) for the reclassification (rezone) of two City-owned properties. The application was determined to be complete on September 19, 2025 and a combined Notice of Application, Notice of Public Hearing, and

intent to issue a SEPA Determination of Non-Significance (“Notice”) was issued consistent with the procedures in MICC 19.15.260. The Notice was published in the City’s Weekly Permit Bulletin, mailed to properties within 300 feet of the subject properties, and two signs were posted on-site visible from the public right-of-way on September 29, 2025. The Notice was also published in the Mercer Island Reporter on October 1, 2025. CPD issued a SEPA Determination of Non-Significance (DNS) on November 3, 2025. The appeal period closes on November 17, 2025 at 5:00PM. Four public comments were received during the public comment period and are included in Exhibit 1.

Quasi-Judicial Review

Site specific reclassifications of property (rezones) must be reviewed and decided through quasi-judicial proceedings. The decision maker determines the legal rights, duties, or privileges of specific parties in a hearing in quasi-judicial proceedings. In this case, the decision makers are the Planning Commission and City Council, who will determine whether the City, as the applicant and owner of the parcels, has met the criteria for rezoning the properties.

As a quasi-judicial body, the Planning Commission will be subject to the Appearance of Fairness Doctrine (“Appearance of Fairness”). The Appearance of Fairness requires the proceedings to be conducted in ways that are fair and unbiased, both in fact, as well as appearance. It prohibits the decision maker from prejudging the decision; being biased against a party; having a personal conflict of interest; and being partial in any other way. Please refer to the memorandum from Bio Park, City Attorney to the Mercer Island Planning Commission Members regarding the Quasi-Judicial Proceeding of Site Specific Rezone Application contained in Exhibit 2 for more information on the Appearance of Fairness Doctrine.

Pursuant to MICC 19.15.260(B), the Planning Commission shall consider the proposed amendment for conformance with the criteria listed in MICC 19.15.240 (the applicable section) and make a written recommendation on the review to the City Council.

MICC 19.15.240 – Reclassification of property (rezones)

The City Council may approve a rezone only if all of the following criteria are met:

1. The proposed reclassification is consistent with the policies and provisions of the Mercer Island comprehensive plan;
2. The proposed reclassification is consistent with the purpose of the Mercer Island development code as set forth in MICC 19.01.010;
3. The proposed reclassification is an extension of an existing zone, or a logical transition between zones;
4. The proposed reclassification does not constitute an illegal site-specific rezone;
5. The proposed reclassification is compatible with surrounding zones and land uses;
6. The proposed reclassification does not adversely affect public health, safety and welfare; and
7. If a comprehensive plan amendment is required in order to satisfy subsection (C)(1) of this section, approval of the comprehensive plan amendment is required prior to or concurrent with the granting of an approval of the rezone.

ISSUE/DISCUSSION

Consistent with CPD practices, staff prepared a Staff Report (Exhibit 1) containing staff findings on the consistency of the rezone application with the criteria in MICC 19.15.240(C). The Planning Commission shall consider the proposed rezone for conformance with these criteria.

In addition to the staff report, the Planning Commission should consider public comments submitted to the City (Exhibit 1, pg. 62-70), as well as comments provided during the public hearing on November 19, 2025.

During the meeting, the following steps will be taken to complete the quasi-judicial review of the rezone application:

1. Planning Commission Chair explains process
2. Swearing in of witnesses
3. Appearance of fairness questions
 - a. Opportunity for challenges
4. Public comment
5. Presentation from applicant (10 minutes)
6. Presentation from City (10 minutes)
7. Rebuttal (if any – both parties)
8. Planning Commission Deliberations
9. Adoption of findings on reclassification criteria
10. Recommendation

Based on the PC's direction at the meeting, staff will prepare a draft of the written recommendation, which will be reviewed and signed by the Chair.

NEXT STEPS

The City Council will consider the Planning Commission's recommendation at its December 2 public meeting where it may adopt or reject the Planning Commission's recommendations or remand the review back to the Planning Commission.

RECOMMENDED ACTION

Hold the public hearing for the rezone of two city-owned properties and make a recommendation to the City Council.